

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION V

IN THE MATTER OF:)	DOCKET No. V-W-81-R-014
Custom Organics, Inc.)	FINDINGS OF VIOLATION
Chicago, Illinois)	AND
EPA ID. NO.)	COMPLIANCE ORDER

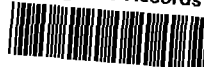
Pursuant to 42 U.S.C. 6928(a) it has been determined that the above-named "person" is in violation of the Resource Conservation and Recovery Act of 1976, as amended. Specifically, it has been determined that Custom Organics, Inc. is in violation of Subtitle C of RCRA, Section 3004, 42 U.S.C. 6924 and Regulations 40 C.F.R. 265.14(b)(2), 265.14(c), 265.16(d)(a), 265.32(a), 265.35, 265.52(c),(e), & (f) adopted thereunder.

FINDINGS

This determination is based upon the following findings of violation:

1. The facility handles hazardous wastes as defined in 42 U.S.C. 6903(5).
2. Pursuant to 40 C.F.R. 265.14(b)(2), all hazardous waste storage facilities are required to be completely surrounded by artificial or natural barriers. The operator was found to be in violation in that no such barrier was present.
3. Pursuant to 40 C.F.R. 265.14(c), the owner or operator must post danger signs at all entrances. The operator was found to be in violation in that danger signs were posted only at vault entrances, rather than facility entrances.
4. Pursuant to 40 C.F.R. 265.16(d)(1) employee job titles and descriptions of employee safety training are required to be kept on file. The operator was found to be in violation in that no training descriptions were on file.

EPA Region 5 Records Ctr.



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5. Pursuant to 40 C.F.R. 265.32(a), the owner or operator must provide an alarm system for the facility. The operator was found to be in violation in that there was no such alarm system on site.

6. Pursuant to 40 C.F.R. 265.35, the owner or operator must maintain adequate aisle space for unobstructed movement of emergency vehicles. The operator was found to be in violation, in that aisle space was inadequate for that purpose.

7. Pursuant to 40 C.F.R. 265.52(c),(e), &(f), the owner or operator must maintain a contingency plan containing, inter alia, arrangements agreed to by local police & fire departments & other emergency response agencies, to coordinate emergency services; a list of all the emergency equipment at the facility, including locations and descriptions; and an evacuation plan for facility personnel. The operator was found to be in violation that the contingency plan contained none of the above elements.

The State of Illinois' duly authorized officials have been notified of the above-described violations prior to the issuance of this Compliance order.

ORDER

It is hereby ordered that Custom Organics, Inc. take the following corrective action within the specified time for achieving compliance with Subtitle C of RCRA, Section 3004, 42 U.S.C. 6924 and Regulation 40 C.F.R. 265:

1. The operator shall submit to the Director, Enforcement Division, Region V, United States Environmental Protection Agency, Attention: Compliance Section, at 230 South Dearborn Street, Chicago, Illinois 60604, within 15 days of receipt of this order, a written detailed explanation of the steps to be taken to comply with this order.
2. The operator, within 30 days of receipt of this order, shall achieve compliance with the following requirements:

The facility shall be completely enclosed by a fence or other appropriate barrier, and danger signs shall be posted at all entrances;

Employee job titles & training descriptions shall be placed on file;

An alarm system must be installed and maintained;

Adequate aisle space shall be cleared for emergency vehicles;

A contingency plan must be prepared, to include, inter alia,

arrangements agreed to by local police and fire departments and other emergency response agencies, to coordinate emergency services;

a list of all emergency equipment at the facility, including locations and descriptions;

an evacuation plan for facility personnel.

A civil penalty of \$200.00 is assessed for each day of noncompliance with the dates specified for taking corrective action and achieving compliance as specified in this order.

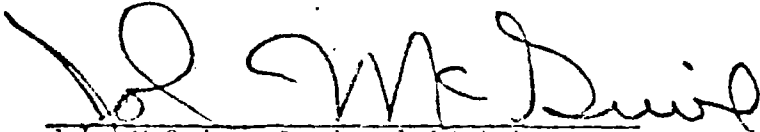
This order is entered this 5th day of December.

NOTICE OF OPPORTUNITY FOR HEARING

The above named person is hereby notified that the above Order shall become final unless said person has requested in writing a public hearing on the Order no later than 30 days from the date this Order is served.

Please address any such request to Director, Enforcement, Region V, United States Environmental Protection Agency, 230 South Dearborn Street, Chicago, Illinois 60604. Should a hearing be requested within the specified time, a public hearing will be promptly conducted.

Dated this 5th day of December, 1980.


John McGuire, Regional Administrator
U.S. Environmental Protection Agency
Region V

① ~~Dodine~~
② ~~St. Louis~~ FD

Response
due 1/9/8

DEC 5 1980

2/3/81
sent in file

C.T. Corporation System
Registered Agent for
Custom Organics, Inc.
Jay S. Riskind
304 N. LaSalle St.
Chicago, Illinois 60602

Re: Finding of Violation &
Compliance Order
Custom Organics, Inc.

Dear Mr. Riskind:

Enclosed please find a Compliance Order which specifies this Agency's determination of certain violations by your company of the Resource Conservation & Recovery Act (RCRA) as amended, 42 U.S.C. 6931 et seq., based on inspection of your facility at 1445 W. 42nd Street, Chicago, Illinois, on November 20, 1980. The Compliance Order states the reason for such a determination, establishes a compliance schedule, and assesses civil penalties which are collectible should you fail to meet the time specified in the Order for corrective action. This Compliance Order is issued pursuant to Section 3005 of RCRA (42 U.S.C. 6925).

Accompanying the Compliance Order is a Notice of Opportunity for Hearing. Should you desire to contest the Compliance Order, a written request for a hearing is required 30 days from receipt of this Compliance Order.

If you have any questions or desire to request an informal conference, for the purpose of settlement, with Enforcement Division staff, please contact Ms. Marian A. Roulet, Attorney, Enforcement Division, Water & Hazardous Materials Enforcement Branch, 230 South Dearborn Street, Chicago, Illinois 60604. Phone 312-666-5735.

Very truly yours,

Sandra S. Gardeur
Director, Enforcement Division

cc: Hak Cho,
Grimes
Fenner

Seder